

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

BUSINESS CASUAL HOLDINGS, LLC, a
Delaware limited liability company,

Plaintiff,

v.

TV-NOVOSTI, a Russian autonomous non-
profit organization,

Defendant.

Civil Action No. 21-cv-2007

DECLARATION OF
MARC P. MISTHAL

I, Marc P. Misthal, declare pursuant to 28 U.S.C. § 1746 as follows:

1. I am an attorney admitted to practice before this Court and am a shareholder in the law firm Gottlieb, Rackman & Reisman, P.C. (“GRR”), counsel of record for Defendant TV-Novosti (“Defendant”) in the above-captioned action. I respectfully submit this declaration pursuant to Local Civil Rule 1.4 in support of the accompanying motion to withdraw as counsel of record for defendant TV-Novosti.

2. TV-Novosti and GRR have mutually and amicably agreed that alternative counsel would be more appropriate for TV-Novosti. Accordingly, TV-Novosti is in the process of seeking new counsel and has consented to GRR’s withdrawal from this case. TV-Novosti requests that the court grant it sixty (60) days in which to retain new counsel.

3. GRR is not asserting a retaining or charging lien.

4. TV-Novosti filed a motion to dismiss which has been fully briefed. The court has scheduled oral argument for 10 am on March 18, 2022. Accordingly, TV-Novosti requests that oral argument be adjourned to a date that is two (2) weeks after the deadline set by the court for TV-Novosti to retain new counsel. No prior adjournment of the oral argument has been requested.

5. The undersigned contacted Plaintiff's counsel on March 9, 2022 and asked if Plaintiff would consent to an "adjournment of oral argument to a date that is two weeks after the deadline set by the court for TV-Novosti to retain new counsel." Plaintiff's counsel advised that Plaintiff "consent[s] to a two-week adjournment of oral argument in the above-captioned matter currently scheduled for March 18, 2022."

6. Presently before the court is TV-Novosti's motion to dismiss. TV-Novosti has not yet filed an answer, a schedule has not yet been set, and the parties have not begun taking discovery. As a result, the withdrawal of GRR will not prejudice the parties or unnecessarily delay this action. Therefore, we respectfully request that the Court grant the motion to withdraw.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: March 10, 2022



Marc P. Misthal